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General and complete disarmament: assistance to States for curbing the illicit traffic in small arms and collecting them

Report of the Secretary-General

I. Introduction

1. In its resolution 52/38 C of 9 December 1997, the General Assembly requested the Secretary-General to continue to examine the issue of assistance to States for curbing the illicit traffic in small arms and collecting them. In the same resolution, the Secretary-General was also encouraged to continue his efforts, in the context of the implementation of resolution 49/75 G of 15 December 1994 and of the recommendations of the United Nations advisory missions, to curb the illicit circulation of small arms and to collect such arms in the affected States that request it. The Assembly also requested the Secretary-General to submit a report to it at its fifty-third session. The present report is submitted pursuant to that request.

2. It will be recalled that in his previous report (A/52/264), the Secretary-General welcomed the attention the General Assembly has been devoting to this important subject, which affects the stability of many countries. Since the issuance of that report, several initiatives have been taken at the subregional, regional and international levels to address the issue of the illicit traffic in small arms.

II. Further developments

A. Moratorium on light weapons in West Africa

3. During 1997, further progress was made on a proposed moratorium on the manufacture, import and export of light weapons in West Africa. The proposal was first discussed in November 1996 at an international conference on conflict prevention, disarmament and development in West Africa, held in Bamako, in which the Department of Political Affairs and the United Nations Development Programme (UNDP) participated.

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In March 1997, the proposal was a subject of discussion at ministerial-level consultations held in Bamako. The consultations were observed by the Centre for Disarmament Affairs.

4. Pursuant to a request of the ministerial meeting of the Economic Community of West African States (ECOWAS) in Yamoussoukro on 12 March 1998, the ECOWAS secretariat was given the task of preparing a draft text for a declaration of the proposed moratorium. On 1 and 2 April 1998, at the initiative of the Norwegian Initiative on Small Arms Transfers and UNDP, representatives of 13 ECOWAS member States met in Oslo together with those of arms-exporting States, the Department for Disarmament Affairs and other United Nations bodies and observer Governments and non-governmental organizations. On that occasion, the President of Mali, Alpha Oumar Konaré, elaborated upon the proposal for a moratorium on small arms in West Africa. The participants considered the subregional initiative of the ECOWAS States to be an important contribution towards strengthening the resolve of the United Nations to prevent the excessive accumulation, proliferation and use of small arms in pursuance of General Assembly resolutions 50/70 B of 12 December 1995 and 52/38 J of 9 December 1997.

5. The proposed moratorium is essentially a confidence-building measure. It would include weapons such as handguns, rifles, machine guns, landmines, grenades, portable rocket launchers and mortars as well as their ammunition. The moratorium would initially be a declaratory measure of a duration to be determined by the participating States, with the prospect of being extended at the end of that period.

6. Member States of ECOWAS emphasized that a voluntarily imposed moratorium had not been attempted before on a subregional basis. Another novel feature of the proposal is a dialogue between recipients and suppliers of arms – asking the latter to respect the provisions of the moratorium and to assist in its implementation. The objective is to create a framework within which a secure environment for socio-economic development can be obtained. The moratorium would be shaped with due regard to the legitimate defence needs of the countries concerned, in conformity with the Charter of the United Nations.

B. Report of the Secretary-General on Africa

7. In paragraph 27 of his report on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318), the Secretary-General noted that African States could help to diminish the need for large military expenditures by implementing transparency and confidence-building measures in the military and security fields, including the harmonization of policies against illicit arms trafficking.

8. In paragraph 28 of the report, the Secretary-General further noted that identifying the sources of arms flows into Africa was critical to any effort to monitor or regulate that trade. He stated that there was a need to pay particularly close attention to the role of private arms merchants in supplying weapons to areas of actual or potential conflict. The goal of public identification of international arms merchants and their activities had proved elusive, but perhaps no other single initiative would do more to help combat the flow of illicit arms to Africa. The Secretary-General noted that the Security Council should address itself to that issue as a matter of urgency, including the role the United Nations might play in compiling, tracking and publicizing such information.

9. Pursuant to paragraph 4 of its resolution 1170 (1998) of 28 May 1998, the Security Council decided to establish, for a period of six months, an ad hoc Working Group comprising all members of the Council to review all recommendations in the report of the Secretary-General as they related to the maintenance of international peace and security.

10. The ad hoc Working Group was requested, in pursuance of resolution 1170 (1998), to prepare a framework for the implementation of the recommendations and to submit specific proposals for concrete action for consideration by the Security Council by September 1998. To carry out that responsibility, the ad hoc Working Group established, on 8 July 1998, six thematic subgroups, one of which will make proposals on implementing the following recommendation stemming from the report of the Secretary-General to address urgently the question of arms flow (particularly information on suppliers and intermediaries) and consider what role the United Nations might play in compiling, tracking and publicizing such information.

C. Requests for United Nations assistance to curb the illicit circulation of small arms and to collect such arms in the affected States

11. Since the adoption of General Assembly resolution 52/38 C, the Secretary-General has received two requests for United Nations assistance to curb the illicit circulation of small arms and to collect such arms in the affected States.

1. Niger

12. By a letter dated 11 June 1998 addressed to the Department for Disarmament Affairs, the Government of Niger transmitted two documents of its National Commission for the Collection and Control of Illicit Arms. The letter referred to General Assembly resolution 51/45 L of 10 December 1996, emphasizing that the Assembly had encouraged countries of the Saharo-Sahelian subregion to establish national commissions against the proliferation of small arms. The National Commission in Niger, which was established in 1994, has developed a programme for weapons collection and needs technical and logistical support, as well as financial assistance, to implement it. It is estimated that since 1994 more than 3,500 weapons have been collected, and the Government would like to collect roughly 2,000 more.

13. The Secretariat will be consulting with the Niger authorities on their request for assistance.

2. Albania

14. By a letter addressed to the Secretary-General dated 27 February 1998, the Government of Albania requested him to send an expert to Albania, at his earliest convenience, in order to evaluate the situation with the aim of developing a buy-back programme for the disarmament of the civilian population. The letter stated that the disarmament of the population was one of the most important steps towards establishing order and security in the country and also preventing a spillover effect in the region. It was mentioned that during the crisis that engulfed Albania in 1997, thousands of weapons had fallen into the hands of the civilian population.

15. Headed by the Under-Secretary-General for Disarmament Affairs, the evaluation mission, comprising officials of the Department for Disarmament Affairs, the Department of Political Affairs and the Department of Peacekeeping Operations, visited Albania from 11 to 14 June 1998. The objective of the mission was to make a preliminary evaluation of the situation in the country and to assist the Government of Albania in developing a programme of retrieving and collecting weapons from the civilian population.

16. The report of the evaluation mission contains a number of findings and recommendations. Among its findings are the following:

(a) An estimated 650,000 weapons were either taken away from military depots or given out to civilians during the 1997 crisis in Albania along with 20,000 tons of explosives and 1.5 billion bullets and artillery shells;

(b) Since the number of weapons in question is large by any estimate, cash incentives or buy-back schemes would have an inflationary impact in addition to sending out the wrong message to those who might consider unauthorized weapon possession a lucrative activity;

(c) There is a broad-based national consensus in Albania that United Nations involvement would be helpful in retrieving the huge quantities and large variety of weapons in civilian possession;

(d) At present there is no uniform legal code to regulate the ownership of weapons by private citizens. The Albanian Government is working on the promulgation of a new and comprehensive law to identify the types of weapons permissible for private ownership by civilians along with clearly spelled-out measures against their misuse.

17. Among the report's recommendations are the following:

(a) That weapons collection in Albania needs to be related to rewards for communities that assist in the process through labour-intensive development projects of short duration;

(b) That an advocacy campaign, designed mostly by teachers and students, be carried out with the help of volunteers from the local communities throughout the country in the Albanian language;

(c) That a pilot project be developed rapidly and implemented urgently for voluntary weapons collection in the district of Gramshi in central Albania, which is estimated to account for roughly 8 to 10 per cent of the weapons and ammunition possessed by the entire civilian population after the crisis in 1997.

18. The evaluation mission believes that financial resources for the project can be raised through the poverty alleviation and job creation programmes of UNDP, the micro-credit facilities of the World Bank and voluntary contributions by interested Member States.

D. Meeting on small arms in Oslo

19. In a letter dated 16 July 1998 addressed to the Under-Secretary-General for Disarmament Affairs, the Permanent Mission of Norway to the United Nations transmitted the results of a meeting held in Oslo on 13 and 14 July on small arms and light weapons. At the invitation of the Norwegian Ministry for Foreign Affairs, representatives of Belgium, Brazil, Burkina Faso, Canada, Colombia, France, Germany, Indonesia, Japan, Mali, Mexico, Mozambique, the Netherlands, Norway, the Philippines, South Africa, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zimbabwe attended the meeting.

20. The participants acknowledged the global role of the United Nations, especially in the context of the work of the Panel of Governmental Experts on Small Arms, established pursuant to General Assembly resolution 50/70 B, and the Group of Governmental Experts on Small Arms, established pursuant to Assembly resolution 52/38 J. In particular, it was recognized that a sizable portion of all transfers of small arms and light weapons was illicit and increasingly linked to other transnational criminal activities. Immediate action could

focus on the prevention of illicit transfers and tighter control in connection with legal transfers.

E. United Nations conference on the illicit arms trade

21. In its resolution 52/38 J, entitled "Small arms", the General Assembly, in paragraph 4, requested the Secretary-General to seek the views of Member States on the report of the Secretary-General on small arms (A/52/298, annex) and on the steps that they have taken to implement its recommendations, and, in particular, to seek their views on the recommendation concerning the convening of an international conference on the illicit arms trade in all its aspects in time for consideration by the Assembly at its fifty-third session.

22. Pursuant to that request, a note verbale was sent on 15 April 1998 to all Member States inviting them to provide information on the subject. Replies were received from Belarus, Canada, China, Colombia, Côte d'Ivoire, Israel, Jordan, New Zealand, Poland, the Republic of Korea, the Russian Federation, San Marino, Singapore, Turkey, the United Kingdom (on behalf of the European Union) and the United States. As reflected in the replies received to date, general support has been expressed for the convening of an international conference on the illicit arms trade.

23. The Government of Switzerland has offered to host such a conference under United Nations auspices in 2000.

F. Commission on Crime Prevention and Criminal Justice

24. In 1995, the Commission on Crime Prevention and Criminal Justice asked the Vienna-based Centre for International Crime Prevention to carry out a study on firearm regulation for the purpose of crime prevention and public safety in civil society. The study, entitled *The United Nations International Study on Firearm Regulation*,[1] was submitted to the Commission at its seventh session, from 21 to 30 April 1998. The Commission proposed a draft resolution for adoption by the Economic and Social Council welcoming the results of the study and calling for further work towards the elaboration of an international instrument to combat the illicit manufacturing of and trafficking in firearms within the context of a United Nations convention against transnational organized crime.[2]

25. The model regulation is a set of guidelines requiring countries that adopt them to provide standardized import and export authorization information and, where appropriate, authorization information for in-transit shipments. Following up on the principle that the best way to combat illicit trafficking is to have more effective controls on the legal trade, the resolution calls for the discussion on an international instrument to include consideration of an effective system of import/export/in-transit authorizations; more stringent security during transportation; firearm identification (including serial numbers); enhanced information exchanges; and provisions for training and technical assistance.

26. While the majority of the regional and international initiatives listed above are focused on the illicit arms trade in the context of the excessive and destabilizing accumulations of small arms and light weapons manufactured to military specifications, the Commission on Crime Prevention and Criminal Justice and the Centre for International Crime Prevention are examining the illicit trafficking and criminal misuse of firearms.

G. Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials

27. On 14 November 1997, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials was adopted by the Organization of American States (OAS) and signed by 29 of its members.

28. The purpose of the Inter-American Convention is (a) to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials; and (b) to promote and facilitate cooperation and exchange of information and experience among States parties to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials. Article XX of the Convention mandates States parties to establish a consultative committee responsible for such tasks as promoting the exchange of information on domestic legislation and administrative procedures of States parties; encouraging cooperation between national liaison authorities to detect suspected illicit exports and imports of firearms, ammunition, explosives and other related materials; and requesting from non-party States, when appropriate, information on the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials.

29. A total of 32 OAS member States have signed the Inter-American Convention to date, and Belize and Mexico have ratified it. In a statement in March 1998, the United Nations Secretary-General hailed the Inter-American Convention as a precedent and urged other Governments to explore such a possibility in the African context.

30. On 18 April, the presidents of the four South American countries (Argentina, Brazil, Paraguay and Uruguay) comprising the economic trade organization Mercosur, together with the presidents of Bolivia and Chile, adopted a presidential statement on the combat against the production and the illicit trafficking of firearms, munitions, explosives and related materials. In the statement, the presidents called upon States to accelerate their own constitutional procedures in order for the Inter-American Convention to be ratified on a wider basis.

Notes

[1] United Nations publication, Sales No. E.98.IV.2.

[2] *Official Records of the Economic and Social Council, 1998, Supplement No. 10* and corrigendum (E/1998/30 and Corr.1), draft resolution III. The Council adopted the resolution at its 44th meeting on 28 July 1998.